
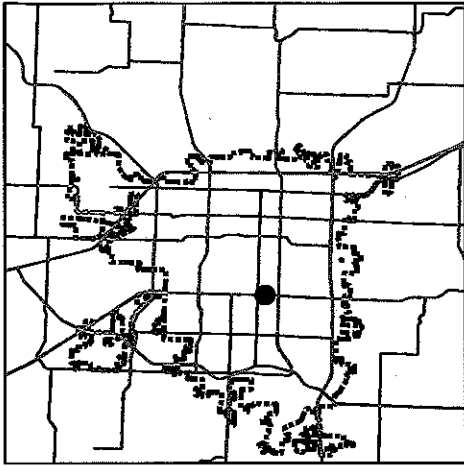


Memo

To: Planning and Zoning Commission
From: Bob Hosmer, AICP Senior Planner 
CC: Pete Radecki and Anderson Engineering Inc.
Date: 12/28/2009
Re: Vacation #742

Since we did not receive the necessary replacement easements as required by city staff; I am recommending that Vacation 742 be tabled at the January 7, 2010 Planning and Zoning Commission meeting.



Zoning & Subdivision Report

Planning & Development - 417/864-1611
840 Boonville - Springfield, Missouri 65801

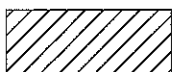
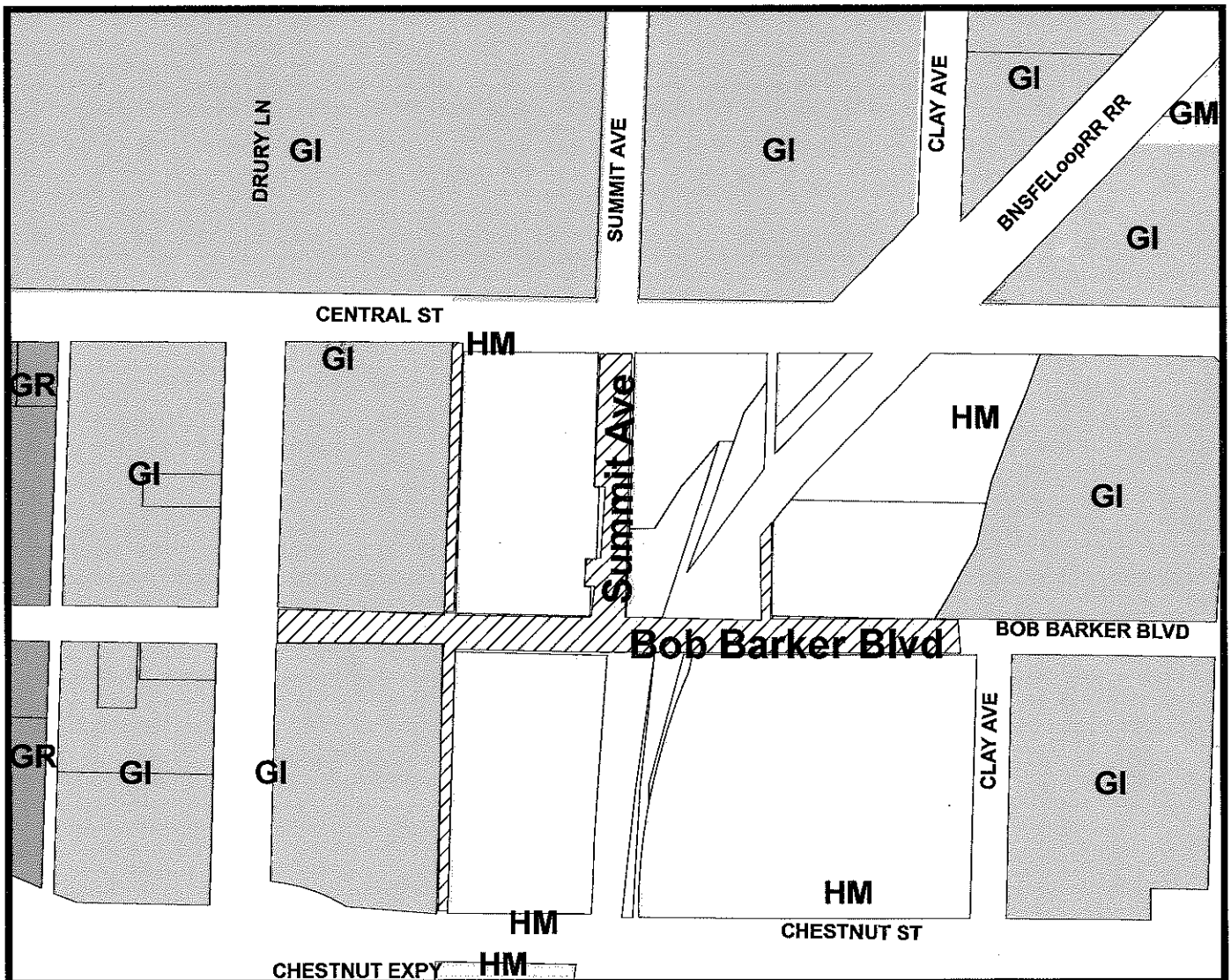
Vacation #742

Location: 800 block of Summit Ave and
600 block of Bob Barker Blvd.

Current Zoning: GI and HM

Proposed Zoning: N/A

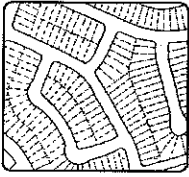
LOCATION SKETCH



- Area of Proposal



1 inch = 223.903903 feet



Zoning & Subdivision Report

*Planning & Development Department ~ 417/864-1611
840 Boonville Avenue ~ Springfield, Missouri*

VACATION #742

DATE: November 30, 2009

PURPOSE: To vacate a portion of Summit Avenue located between Central and Bob Barker Boulevard, to vacate a portion of Bob Barker Boulevard located between Drury Lane and almost to Clay Avenue, and two alleyways one between Chestnut Expressway and Central Ave and the second between Bob Barker Blvd and the Burlington Northern SF railroad right of way both in the 600 block of Bob Barker Boulevard.

BACKGROUND:

LOCATION: 600 Block of Bob Barker Boulevard and 800 Block of Summit and two adjacent alleyways

APPLICANT: Drury University

RECOMMENDATION:

Staff recommends **approval** of this request.

FINDINGS FOR STAFF RECOMMENDATION:

The requested vacation meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Senior Planner
864-1834

ATTACHMENTS:

Attachment A - Background Report
Attachment B - Approval Criteria
Exhibit A - Legal Description
Exhibit B - Sketch

ATTACHMENT A
BACKGROUND REPORT
VACATION #742

APPLICANT'S PROPOSAL:

The applicant is requesting to vacate the 800 block of Summit Avenue and the 600 block of Bob Barker Blvd. and two adjacent alleyways.

TRAFFIC ENGINEERING COMMENTS:

Traffic Engineering has no objections to the vacation of public right-of-way with the following conditions:

1. Dedication of a north-south public access easement for the future Greenway trail.
2. Chestnut Street is to be restricted to right-in/right-out only at Sherman Avenue. A public improvement plan for the construction of a median on Sherman Avenue at Chestnut Street is required. Coordinate with MoDOT which is currently working on a redesign of the intersection of Sherman Avenue and Chestnut Expressway.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objections.

AT&T COMMENTS:

AT&T does have facilities in this area and does not consent the proposal to vacate. AT&T has both aerial & buried facilities on the south right of way of Bob Barker Blvd & buried facilities in the east right of way of North Summit Avenue. They are requesting an easement for both.

CITY UTILITIES COMMENTS:

There are existing electric, gas and water facilities located in the streets being vacated. Easements will be required for these existing facilities. All of Bob Barker Blvd. and Summit Ave. should be retained as an easement for the electric facilities. Any gas or water facilities that are not located in the area mentioned above will require a 20-foot utility easement.

STORM WATER COMMENTS:

1. Drainage easements would need to be recorded prior to vacation of public right of way in locations where existing underground storm water facilities are located or where the public right of way accepts concentrated rainfall runoff.
2. Drainage easement is required for the existing box culvert under the east end of Bob Barker to be vacated.
3. Drainage easement is required for the existing storm drains at the intersection of Bob Barker and Summit Avenue.
4. Summit Avenue collects concentrated storm water runoff. Dedicate a drainage easement over this public right of way in order to retain these drainage rights.

5. Bob Barker collects concentrated storm water runoff from the intersection with Summit to the west to the parking lot adjacent to Drury Lane. Dedicate a drainage easement over this public right of way in order to retain these rights.

SANITARY SERVICE:

There are existing sewer mains that cross Bob Barker Blvd. and occupy some of the alleys and streets. These cannot be vacated until a sewer easement is recorded to replace them.

ADJACENT PROPERTY OWNER COMMENTS:

Seven (7) property owners are within 300 feet of this site and have been notified of this action. No one has objected to date.

STAFF COMMENTS:

The property adjacent to this request to vacate a portion of Summit and Bob Barker Blvd and two adjacent alleys are all owned by Drury University. Staff recommends approval of this request if all the requested easements with legal descriptions are ready to record prior to Planning and Zoning Commission meeting. If they are not received prior to the meeting then staff is recommending that the Commission table this issues until the next meeting before any action is taken.

ATTACHMENT B
APPROVAL CRITERIA
VACATION #742

In order to approve the vacation of a public street or alley, the Planning and Zoning Commission must make the following findings.

1. All property owners adjacent to the street, alley or public way have access to another street, alley or public way.

STAFF RESPONSE:

Since Drury University owns all properties adjacent to this request to vacate there will not be access problems.

2. The owners of two-thirds of the property adjacent to the street, alley or public way to be vacated have given their consent to the vacation.

STAFF RESPONSE:

The owners of two-thirds of the property adjacent to the street have given their consent to the vacation (Drury University).

3. That the retention of the street, alley, public way or subdivision serves no useful purpose.

STAFF RESPONSE:

This streets and alleys serve no useful purpose and will be used to as open space for the Drury University Campus.

4. That the vacation will not affect the ability to use utilities, public or private.

STAFF RESPONSE:

The vacation of these rights-of-ways will not affect the ability to use utilities as the City will retain all necessary easements and restrictions.

EXHIBIT A
LEGAL DESCRIPTIONS
VACATION #742

EXHIBIT A

A TRACT OF LAND BEING A PART OF BOB BARKER BOULEVARD, SUMMIT AVENUE AND PLATTED ALLEY'S, AS PLATTED IN WOOLLEY PORTER AND HUBBELL'S SUBDIVISION AS SHOWN IN PLAT BOOK C, PAGE 84, HARWOOD LIENBY AND BOYD'S ADDITION AS SHOWN IN PLAT BOOK B, PAGE 86 AND J. FAIRBANK'S ADDITION AS SHOWN IN PLAT BOOK B, PAGE 83 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF BLOCK "O" OF SAID HARWOOD LIENBY AND BOYD'S ADDITION, SAID POINT BEING AT THE NORTHEAST CORNER OF BOB BARKER BOULEVARD AND DRURY LANE; THENCE ALONG THE NORTH RIGHT-OF-WAY OF SAID BOB BARKER BOULEVARD, SOUTH 88°44'15" EAST, 230.85 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK "O"; THENCE LEAVING SAID NORTH RIGHT-OF-WAY AND ALONG THE EAST LINE OF SAID BLOCK, NORTH 02°01'10" EAST, 361.60 FEET TO THE NORTHEAST CORNER OF SAID BLOCK AND THE SOUTH RIGHT-OF-WAY OF CENTRAL STREET; THENCE ALONG SAID SOUTH RIGHT-OF-WAY, SOUTH 89°03'13" EAST, 15.43 FEET TO THE NORTHWEST CORNER OF BLOCK 2 OF SAID J. FAIRBANK'S ADDITION; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY AND ALONG THE WEST LINE OF SAID BLOCK 2, SOUTH 02°01'10" WEST, 361.69 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 2 AND THE NORTH RIGHT-OF-WAY OF BOB BARKER BOULEVARD; THENCE ALONG SAID NORTH RIGHT-OF-WAY, SOUTH 88°44'15" EAST, 180.19 FEET TO THE WEST RIGHT-OF-WAY OF SUMMIT AVENUE AS IT NOW EXISTS; THENCE LEAVING SAID NORTH RIGHT-OF-WAY AND ALONG THE WEST RIGHT-OF-WAY OF SAID SUMMIT AVENUE, NORTH 02°01'10" EAST, 362.68 FEET TO THE SOUTH RIGHT-OF-WAY OF SAID CENTRAL STREET; THENCE LEAVING SAID WEST RIGHT-OF-WAY AND ALONG SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 89°03'13" EAST, 50.01 FEET TO THE EAST RIGHT-OF-WAY OF SAID SUMMIT AVENUE; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY AND ALONG SAID EAST RIGHT-OF-WAY, SOUTH 02°01'10" WEST, 362.96 FEET TO THE NORTH RIGHT-OF-WAY OF SAID BOB BARKER BOULEVARD; THENCE LEAVING SAID EAST RIGHT-OF-WAY AND ALONG SAID NORTH RIGHT-OF-WAY, SOUTH 88°44'15" EAST, 187.12 FEET TO THE WEST LINE OF A 16.5 FOOT PLATTED ALLEY; THENCE LEAVING SAID NORTH RIGHT-OF-WAY AND LONG SAID WEST LINE, NORTH 01°42'05" EAST, 101.06 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF THE BURLINGTON NORTHERN SAN FRANCISCO RAILROAD; THENCE LEAVING SAID WEST LINE AND ALONG SAID SOUTHERLY RIGHT-OF-WAY, 28.13 FEET ALONG A 620.51 FOOT RADIUS CURVE TO THE RIGHT WITH A CHORD BEARING OF NORTH 37°37'19" EAST AND A CHORD DISTANCE OF 28.13 FEET TO THE EAST LINE OF SAID ALLEY; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY AND ALONG SAID EAST LINE, SOUTH 01°42'05" WEST, 123.71 FEET TO THE NORTH RIGHT-OF-WAY OF SAID BOB BARKER BOULEVARD; THENCE LEAVING SAID EAST LINE AND ALONG SAID NORTH RIGHT-OF-WAY, SOUTH 88°44'15" EAST, 232.96 FEET; THENCE LEAVING SAID NORTH RIGHT-OF-WAY, SOUTH 01°15'45" WEST, 50.00 FEET TO THE SOUTH RIGHT-OF-WAY OF SAID BOB BARKER BOULEVARD; THENCE ALONG SAID SOUTH RIGHT-OF-WAY, NORTH 88°44'15" WEST, 664.27 FEET TO THE EAST LINE OF AN EXISTING

ALLEY AS SHOWN IN GREENE COUNTY RECORD BOOK 38, PAGE 260; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY AND ALONG SAID EAST LINE, SOUTH 01°25'57" WEST, 365.93 FEET TO THE NORTH RIGHT-OF-WAY OF CHESTNUT STREET; THENCE LEAVING SAID EAST LINE AND ALONG SAID NORTH RIGHT-OF-WAY, NORTH 88°56'37" WEST, 22.17 FEET TO THE WEST LINE OF SAID ALLEY; THENCE LEAVING SAID NORTH RIGHT-OF-WAY AND ALONG SAID WEST LINE, NORTH 02°01'10" EAST, 366.04 FEET TO THE SOUTH RIGHT-OF-WAY OF SAID BOB BARKER BOULEVARD; THENCE LEAVING SAID WEST LINE AND ALONG SAID SOUTH RIGHT-OF-WAY, NORTH 88°44'15" WEST, 231.02 FEET TO THE EAST RIGHT-OF-WAY OF DRURY LANE; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY AND ALONG SAID EAST RIGHT-OF-WAY, NORTH 02°01'10" EAST, 50.00 FEET TO THE POINT OF BEGINNING. CONTAINING 78,768 SQ. FT. OR 1.81 ACRES, MORE OR LESS. ALL LYING IN THE EAST HALF OF THE SOUTHWEST QUARTER AND

NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 29 NORTH,
RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. BEARINGS
BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.
DATE OF ADJUSTMENT 2000.